

August 05, 2010

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

0002828909

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Attorneys for WELLS FARGO BANK N.A., AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF CARRINGTON MORTGAGE LOAN TRUST,
SERIES 2007-FRE1 ASSET-BACKED PASS-THROUGH CERTIFICATES

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re

JERRY LEE ARNEY AND SUSAN
ELAINE ARNEY,

Debtor(s).

Case No. 10-10309-A

Chapter 7

D.C. No. PD-2

ORDER GRANTING MOTION FOR
RELIEF FROM AUTOMATIC STAY

WELLS FARGO BANK N.A., AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF
CARRINGTON MORTGAGE LOAN
TRUST, SERIES 2007-FRE1 ASSET-
BACKED PASS-THROUGH
CERTIFICATES,

Movant,

vs.

JERRY LEE ARNEY AND SUSAN
ELAINE ARNEY, Debtor(s); and
JEFFREY M. VETTER, Chapter 7 Trustee,

Respondents.

LBR 4001-1 and 9014-1(f)(1)

DATE: July 29, 2010

TIME: 1:00 p.m.

CTRM:

1300 18th Street, First Floor
Bakersfield, CA

/././

RECEIVED

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1 The above-captioned matter came on for hearing on July 29, 2010, in the Courtroom of
2 the Honorable Whitney Rimel, upon the Motion of Wells Fargo Bank N.A., as Trustee for the
3 Certificateholders of Carrington Mortgage Loan Trust, Series 2007-FRE1 Asset-Backed Pass-
4 Through Certificates ("Movant"), for relief from the automatic stay of 11 U.S.C. § 362, to
5 enforce its interest in the property of Jerry Lee Arney and Susan Elaine Arney ("Debtors")
6 commonly known as 225 Lowell Drive, Bakersfield, California 93308 (the "Real Property"),
7 which is legally described as follows:

8 SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A
9 AND MADE A PART HEREOF.

10 Appearances as noted on the record.

11 Based on the arguments of counsel, and good cause appearing therefor,

12 IT IS HEREBY ORDERED:

13 1) The automatic stay of 11 U.S.C. § 362, is hereby terminated as it applies to the
14 enforcement by Movant of all of its rights in the Real Property under Note and Deed of Trust;

15 2) The 14-day stay provided by Bankruptcy Rule 4001 (a)(3) is not waived;

16 3) The court determines that this bankruptcy proceeding has been finalized for
17 purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described
18 in the motion against the subject real property.

Dated:

Aug 05, 2010


United States Bankruptcy Judge

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LEGAL DESCRIPTION

Real property in the unincorporated area of the County of Kern, State of California, described as follows:

ALL OF LOT 138 AND THE SOUTHEASTERLY HALF OF LOT 139 OF THE NORTHWESTERLY LINE THEREOF BEING PARALLEL WITH THE SOUTHEASTERLY LINE THEREOF, ALL IN TRACT 1206 IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, AS PER MAP RECORDED JUNE 7, 1946 IN BOOK 5, PAGE 145 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 117-053-16